

COMMISSION MEETING MINUTES  
May 2, 2006

The Board of Davis County Commissioners met in the Commission Chambers of the Davis County Courthouse, Farmington, Utah on May 2, 2006. Members present were Chairman Carol R. Page, Commissioner Dannie R. McConkie, Commissioner Alan Hansen, Deputy Clerk/Auditor Carl P. Allen, Deputy Civil County Attorney Gary O. McKean, and Commission Office Manager Linda May.

Public Hearing  
Convene

Commissioner Hansen made a motion to go into a public hearing. Commissioner McConkie seconded the motion. All voted aye.

Second  
Hearing for the  
CDBG  
Program

Commissioner Carol R. Page opened the second public hearing for the CDBG program. Commissioner Page stated that this hearing was called to allow all citizens to provide input concerning the projects given approval under the 2006 community Development Block Grant Program. Commissioner Page introduced Dee Ell Fifield, Davis County Community and Economic Development, and LaNiece Dustman, Wasatch Front Regional Council, each of whom work with the Community Development Block Grant program. Dee Ell stated that Davis County has amended its capital investment plan and decided to apply for funds on behalf of The Road Home, Safe Harbor, Family Connection Center (Food Bank) and DATC (ED Entrepreneurial Center). Commissioner Page explained that the following applicants were successful in the regional rating and ranking process and are authorized for allocations:

DATC	\$150,000	Road Home	\$10,000
Safe Harbor	\$ 42,000	Family Connection Center	\$44,630

Commissioner Page then asked for any comments, questions and concerns from the audience. Brief comments were given by representatives from DATC and the Road Home. There were no other comments received from the audience and the hearing was adjourned at approximately 10:20.

Close Public  
Hearing

Commissioner Hansen made a motion to close the public hearing. Commissioner McConkie seconded the motion. All voted aye. Commissioner McConkie made a motion to authorize the chairman to sign a letter summarizing the public hearing and have it sent by fax to the four entities. Commissioner Hansen seconded the motion. All voted aye.

Davis County  
Planning  
Commission  
Board Appt. for  
DeMar  
Mitchell

Barry Burton, Davis County Community and Economic Development, presented the name of DeMar Mitchell to be appointed to the Davis County Planning Commission. The recommendation is for him to complete the unexpired term of Dee Ell Fifield that will run until June 30, 2006 and then to be appointed for a four-year term to end on June 30, 2010. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye.

Davis County  
Fire Marshal  
Appointment  
for Sgt. Sue  
Campbell

Commissioner Page stated that in reviewing the duties and authority of the County Fire Marshal it is appropriate that Sgt. Sue Campbell, Davis County Sheriff's Office Emergency Services, be appointed to replace Sgt. Brian Law in emergency matters and permits. The person acts in that capacity to fill the functions provided by state law and County ordinance. The position requires working closely with Environment Health and other emergency response units. Commissioner McConkie made a motion to approve the appointment of Sue Campbell. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Approval of  
2006 Satellite  
Voter Register  
Agents

Pat Beckstead, Davis County Election Coordinator, presented a request for approval of the 2006 Satellite Voter Register Agents. The following names and locations were presented:

Kathleen Turpin	Bountiful Dick's
Barbara Wellisch	

Louise Duncan Barbara Morrison	Centerville Dick’s
Tamera Wursetn Fern Pies	Bowman’s
Cheryl Talbot Darla Lucas	Layton Hills Mall
Juliann Olsen Carolyn Powell	Syracuse Smith’s

The sites will be used on June 9 and 12 from 8:00 a.m. to 8:00 p.m. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye

Amendments  
#2006-072A  
#2006-073A  
#2006-074A  
for Funding  
Related to  
Elections

Pat Beckstead presented the following three amendments with the State of Utah for revenue relating to HAVA (Help Americans Vote Act):

(1.) #2006-072A for funding in the amount of \$5,000 to be used for a billboard project to advertise the new electronic voting equipment and early voting. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

(2.) #2006-073A for funding in the amount of \$1,000 to cover staff voter registration drives. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

(3.) #2006-074A for funding in the amount of \$3,650 for public demonstrations of the new electronic voting equipment. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-123  
Regan Outdoor  
Advertising for  
Billboard Ads

Pat Beckstead presented agreement #2006-123 with Regan Outdoor Advertising. The company will be paid \$5,630.03 to do voter outreach billboards advertising for early voting. (\$5,000 of this cost is from the revenue received as stated above in amendment #2006-072A.) Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-124  
Woods Cross  
City for Animal  
Control  
Services

Dwayne Pryor, Davis County Animal Control Director, presented agreement #2006-124 with Woods Cross City. It is for Davis County to provide animal control services and is a payable in the amount of \$14,548.00. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Change Order  
#2005-53I  
Ascent  
Construction  
Inc. for the  
Centerville  
Branch Library

Pete Giacoma, Davis County Library Director, and Barry Burton, Davis County Community and Economic Development, presented a change order # 2005-53I for Ascent Construction, Inc. for the Centerville Branch Library. It is a payable in the amount of \$13,202.98. The changes are mainly reflected of requests from Davis County for changes such as lavatory faucets, relocate heat tape controller, provide weed barrier, add 10 duplex outlets for computer desks, etc. (complete list with the change order). Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor. Pete has received the first report for the month of April regarding activity at the Centerville Branch Library. Of the 43,000 items in the collection during the month of April 20,000 items were checked out.

Pete Giacoma presented amendment #2006-025A with the Utah State Library Division. It is a receivable in the amount of \$75,000 for conversion to Horizon circulation and cataloging system. This is a

window based product. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-126  
State of UT for  
U.S. Census  
Bureau Data

Pete Giacoma presented agreement #2006-126 with the State of Utah Governor’s Office of Planning and Budget. The Davis County Library will maintain a collection of U.S. Census Bureau and other economic and demographic data products and make them available to the public. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-127  
Davis  
Conference  
Center for  
Catering

Pete Giacoma presented agreement #2006-127 with the Davis Conference Center. It is a payable in the amount of \$475.52. The Davis County Library will host a thank you breakfast for volunteer storytellers. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment  
#2005-195B  
UT Dept of  
Hlth for  
Funding

Lewis Garrett, Davis County Health Director, presented amendment #2005-195B with the Utah Department of Health. It is to increase funds in the amount of \$7,900.00 for the C3 program for cancer control. The funds will be used toward cervical cancer screening. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-128 UT  
Dept of Hlth  
for  
Bioterrorism  
Funding

Lewis Garrett presented agreement #2006-128 with the Utah Department of Health. It is a receivable in the amount of \$5,000.00 for bioterrorism funding to be used in the establishment of an MRC (Medical Reserve Corps). Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Update of Area  
Agency on  
Aging 4 Year  
Plan/2006-2007

Lewis Garrett presented the update #2005-080C for the Area Agency on Aging Four-Year Plan: Fiscal Years 2004-2007. This is the fourth year of the plan July 1, 2006 – June 30, 2007. The plan is submitted to the Utah Department of Human Services Division of Aging and Adult Services as required by “The Older Americans Act.” Mainly the changes are related to the recent change in Ordinance 2.32 which places Aging Services under the Davis County Health Department, changes the name to Division of Senior Services, and changes the organization of the Advisory Board. Lewis Garrett stated that he would hand deliver the document to the State to meet the deadline. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-129  
Qwest for 911  
Enhanced  
Service

Roger Anderson, Chief Deputy Davis County Sheriff Office, presented agreement #2006-129 with Qwest. The Qwest Wireless Enhanced 911 is a telecommunications service network whereby one or more Public Safety Answering Point locations may receive wireless telephone calls dialed to 911. This is to comply with Phase II wireless dispatch to locate cell phones. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-130  
Meadow Gold  
for Sponsorship  
at the Davis  
County 2006  
Fair

Curtis Koch, Davis County Fair Park Events Coordinator, presented agreement #2006-130 with Meadow Gold. This is a sponsorship agreement with Meadow Gold. The sponsorship will include the Davis County Fair, milk maker, and all-you-can-eat ice cream tent. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2006-131  
Sam’s Club  
2006 Fair

Curtis Koch presented agreement #2006-131 with Sam’s Club. This is a sponsorship agreement with Sam’s Club. Major points of contract sponsorship are the Davis County Fair, sponsor of the Kid’s Science

Sponsorship	Discovery Tent, and the Thursday night fireworks. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Dog Show Report	Curtis Koch gave a report on the dog show for the Rhodesian Ridgebacks which has been held at the fair park. There were 25 states represented and Australia. A press release has been circulated. It is estimated that over \$300,000 in revenue has been generated for Davis County.
Amendment #2005-244A State of Utah Funding for DATC	Amendment #2005-244A with the State of Utah was presented. It is to extend the CDBG grant for DATC and additional funding. It is a receivable in the amount of \$150,000.00. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Agreement #2006-132 Paragon Partners LTD Sale of Tax Parcel Plats	Agreement #2006-132 with Paragon Partners, Ltd. was presented for sale of tax parcel ownership plats (\$200.00) for Davis County with quarterly updates (\$25.00 per quarter). Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Budget Change for Sheriff's Office	A budget change to increase line item 10-3322-000 (revenue) and line item 10-4210-230 (expenditure) by \$7,500.00 was presented. It reflects the State of Utah (UCCJJ) award of “Medic-up” funding on contract #2006-76 for the Davis County Sheriff Office. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Resolution #2006-133 Stating Davis County Governments Against Storage of High Level Nuclear Waste	A resolution #2006-133 declaring that Davis County Government is against storage of high level nuclear waste at the private fuel storage site located in Skull Valley was presented. Senator Orrin Hatch, United States Senator for Utah has strongly encouraged Utahans to contact the Bureau of Land Management and share their comments on the PFS proposal to transport spent nuclear fuel to Skull Valley, Utah. The cut-off date for comments is May 8, 2006. Commissioner McConkie made a motion to approve the resolution. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor. The document was faxed to Pam Shuller, Bureau of Land Management, Salt Lake Field Office.
Commission Minutes Approved	Commissioner McConkie made a motion to approve the commission meeting minutes of April 11 and 18. Commissioner Hansen seconded the motion. All voted aye.
Personnel Register Approved	A personnel register was presented. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye.  Commissioner Hansen made a motion to convene as the Board of Equalization. Commissioner McConkie seconded the motion. All voted aye.
Property Tax Register Approved	Commissioner McConkie made a motion to approve the property tax register as presented. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.
Board of Equalization Hearing for Davis Hospital & Medical Center	The Board of Equalization held a hearing with Herb Jenkins, State of Utah Tax Commission, and Cary Liston, Chief Deputy Personal Property Tax Davis County Assessor’s Office, and Carol Buckley, Davis County Assessor. The appellant is Davis Hospital and Medical Center. The appeal was submitted by Stuart Allison, Property Valuation Services, Overland Park, Kansas. Mr. Allison called Paulette Hewitt, Davis County Clerk/Auditor Office, and stated that he would not be traveling here from Kansas for the hearing but

he requested we proceed ahead with the hearing. The hearing is on personal property which is equipment that is used in the business and on specific pieces of equipment.

Mr. Allison is disputing what was not given by the Assessor's offices based on schedules given to us by the State Tax Commission. Mr. Allison asked for a reclassification of certain pieces of equipment. The property is depreciated and taxed depending on what class it goes such as furniture fixture class, medical equipment class, computer class etc. Medical equipment was re-classed back in to category as designated by State and Cary stated that she explained that to Mr. Allison. In order to get a major piece of equipment re-classed from class 7 medical equipment into computer dependent he needed to meet with the tax commission. Our goal statewide is follow the scheduled as outlined. Everyone hospital with like is equipment is taxed the same or any business with identical equipment is taxed the same and the equipment does not move around. Representatives of the major hospitals in the state meet with Mr. Jenkins in 2002 and presented information on various pieces of equipment and as a result of that the three pieces of equipment CT, MRI, mammography Units were moved in the computer integrated equipment. Point is simply that if he had some other pieces of equipment these had already been discussed he needs to meet Mr. Jenkins so it can change classes with uniformity in the state. When reclassification takes place it is the following year when it becomes effective so all industries are on a level playing floor. Cary Liston stated that at a county level we have no authority to make changes in equipment. Davis County's only authority comes from the State of Utah.

Herb Jenkins, stated that 2002 the Hospital Association came in to the State with questions. The equipment is becoming more technical and more computerized. Depreciative life of hospital assets was presented to the State by the association. The ones they wanted to talk about were the ones with the shorter life not the longer life. The state lumps items together for averages. The hospital association was happy with this when meeting with Mr. Jenkins. Mr. Jenkins told Mr. Allison that he would be happy to meet with him and look at the possibility of getting it in the schedules for 2007 if they meet the criteria. Part of the criteria is the machinery has to be one unit. In other words if the computer goes bad the whole piece machinery is worthless. The assumption by the State is that the pieces being questioned are not computer integrated. Therefore, certain items were left in class 12 in 2002. There are five criteria for the pieces to be in the classification. Cary Liston stated that they have not provided the necessary information for it to be in the classification requested. For equity sake they must go through the hearings this fall to get things changed equitable if fact they can show the tax commission that it does meet the qualifications.

Commissioner Page asked, "When does it become legal to change?" Herb Jenkins stated, "If qualified it can be changed on a yearly cycle. "The items in this case do not meet the five Utah State qualifications," stated Cary Liston. Herb Jenkins said, "Under the Administrative Rule as the County Commission you would have option to rule on individual pieces of equipment." Herb Jenkins said, "If we do it for one, we need to do it for all." Gary McKean stated that in the absence of compiling evidence to the contrary the commission has evidence before them and are able to go ahead and act today to deny the appeal.

Commissioner McConkie made a motion to agree with the letter written to the Clerk of the Board of Equalization dated March 8 (letter attached) and to deny the appeal. Commissioner Hansen seconded the motion. All voted aye. Commissioner Page thanked everyone involved for their work and time.

Commissioner Hansen made a motion to reconvene as the regular commission meeting. Commissioner McConkie seconded the motion. All voted aye.

Personal Property Tax Registers as prepared by the Davis County Assessor's Office were presented. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye.

Report on the Prescription Drug Discount Card Program

Commissioner McConkie read the following the a NACO update, “Since the Prescription Drug Discount Card program was approved for all counties by the NACO Board at the WIR conference in 2005, the program has grown significantly and can be considered a huge success. As of April 18<sup>th</sup>, 306 counties, parishes and boroughs have signed on to the program, while another 450 counties have inquired about participating. Month-end March totals show the program has saved over \$6.22 million on 554,000 prescriptions for overall average savings of 20.1%. The program has also directly led to 40 new members and that number continues to increase.

Convene MBA Board

Commissioner McConkie made a motion to convene as the Municipal Building Authority Board. Commissioner Hansen made a motion to approve. All voted aye.

Resolution #2006-134 Authorizing and Approving a Renewable Master Lease Agreement & Authorizing the Issuance & Sale of Lease Revenue Bonds for Construction of a Building to be Leased by the State of Utah Division of Motor Vehicles

Jon Bronson and Randy Larson, Zions Bank Public Finance, discussed the Lease Revenue Bonds in the amount of \$1,626,000 to finance the building of the new Department of Motor Vehicle building. Four bids were received for possible sell of the bonds. The net interest cost on the bonds is 5.4674930% and the weighted average maturity is 12.616 years.

Resolution #2006-134 a resolution of the governing board of the Municipal Building Authority of Davis County, Utah (The “Authority”), authorizing and approving the execution by the Authority of an annually renewable master lease agreement, by and between the Authority and Davis County, Utah; authorizing the issuance and sale by the Authority of its Lease Revenue Bonds, Series 2006, in the aggregate principal amount of \$1,626,000; authorizing the execution by the authority of a general indenture of trust, first supplemental indenture, ground lease, leasehold deed of trust, bond purchase agreements, and other documents required in connection therewith; authorizing the acquisition and construction of a building and related improvements for use by the State of Utah Division of Motor Vehicles; authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this resolution; and related matters was presented. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Convene Regular Commission Meeting

Commissioner Hansen made a motion to reconvene the regular commission meeting. Commissioner McConkie seconded the motion. All voted aye.

Resolution #2006-135 Authorizing & Approving Execution of an Annually Renewable Master Lease Agreement with the Municipal Building Authority

A resolution #2006-135 of the Board of County Commissioners (The “Board”) of Davis County, Utah (The “County”), authorizing and approving the execution of an annually renewable master lease agreement by and between the County and the Municipal Building Authority of Davis County, Utah (The “Authority”), authorizing the issuance and sale by the Authority of its Lease Revenue Bonds, Series 2006, in the aggregate principal amount of \$1,626,000; authorizing the execution of a general indenture of trust, a first supplemental indenture, a ground lease, a leasehold deed of trust, and other documents required in connection therewith; authorizing the acquisition and construction of a building and related improvements for use by the State of Utah Division of Motor Vehicles (The “State”) and execution of a sublease between the County and State; authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this resolution; and related matters. Commissioner Hansen made a motion to approve. Commissioner McConkie seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Check Registers Approved

Check registers as prepared by the Davis County Clerk/Auditor’s Office were presented. Commissioner McConkie made a motion to approve. Commissioner Hansen seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Meeting adjourned.

